

CITY PLANNING COMMISSION
Austin, Texas

Regular Meeting--September 10, 1974

The meeting of the Commission was called to order at 7:00 p.m. in the Electric Building Auditorium

Present

C. W. Hetherly, Chairman
O. P. "Bob" Bobbitt
Betty Himmelblau
Jean Mather
George Ramsey, III
Bennie Washington

Absent

Rizer Everett
Philip Juarez
Charles Nash

Also Present

Richard Lillie, Director of Planning
Jack Alexander, Assistant Director of Planning
Don Bird, Assistant City Attorney
Charles Graves, Director of Engineering
Stuart Henry, Director of Environmental
Resource Management
Jim Miller, Community Development
Administrator

ZONING

The following zoning changes were considered by the Zoning Committee at the meetings of September 3 and 4, 1974.

Present

O. P. "Bob" Bobbitt, Chairman
Betty Himmelblau
*Jean Mather
Charles Nash
Bennie Washington

Also Present

Jack Alexander, Assistant Director of Planning
*Duncan Muir, Planner
**Brian Schuller, Planner
Pat Settle, Secretary I

*Present only on September 3, 1974

**Present only on September 4, 1974

C14-74-083 Edward P. Giesecke: A, 1st to B, 2nd
1815-1817 Waterston Avenue

STAFF REPORT:

The applicant has requested that this case be postponed.

CITIZEN COMMUNICATION (OLD WEST AUSTIN NEIGHBORHOOD ASSOCIATION)

WRITTEN COMMENT

Robert D. Jones: 805 Capital National Bank Bldg. FOR

PERSONS APPEARING

Martin Boozer (representing applicant)

Edward P. Giesecke (applicant)

COMMITTEE ACTION:

Members reviewed the request and recommended that this case be postponed.

AYE: Messrs. Bobbitt, Nash and Washington.
Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of Edward P. Giesecke for a zoning change from "A" Residence, First Height and Area to "B" Residence, Second Height and Area on property located at 1815-1817 Waterston Avenue be POSTPONED.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

C14-74-112 Richard L. Matz, Trustee, BB, 1st to LR, 1st
2205-2421 Pleasant Valley Road

STAFF REPORT:

This 6.5-acre tract is located on a major arterial in southeast Austin. All surrounding land is vacant except for apartments to the west.

Zoning was established on subject tract and the other tracts fronting Pleasant Valley Road in this vicinity as a result of a case heard in the latter part of 1972. Retail zoning was recommended at the intersections of major streets. The southern boundary of the retail zoning on the tract to the north was recommended as consistent with that previously established to the east. "BB" apartment zoning was recommended on subject

C14-74-112 Richard L. Matz, Trustee: BB, 1st to LR, 1st

tract instead of the requested "B" Residence, Second Height and Area because additional high-density apartments in the area were considered by the staff and Commission to be unnecessary and a burden on the City's service capacity.

Need for additional retail zoning in this area does not exist at this time. Over 100 acres of vacant retail-zoned land exists on tracts to the north and south of subject tract. The staff has not recommended strip-commercial zoning on any of the arterials in newly-developing areas.

STAFF RECOMMENDATION:

That this request be denied as contributing to a strip-commercial district and as inconsistent with the prior Commission recommendation on this tract.

CITIZEN COMMUNICATION (SOUTH AUSTIN NEIGHBORHOODS EAST)

WRITTEN COMMENT

None

PERSONS APPEARING

Phil Mockford (representing applicant)

Emile Jamaill (representing applicant)

COMMITTEE ACTION:

Members reviewed the information presented. Mr. Bobbitt stated that one of the staff's objections was that rezoning would create a strip area that would not be at the corner of two major arterial streets. It was pointed out that the lower portion of the tract is zoned "LR" Local Retail and is under the same ownership, thus the tract would lie at the intersection of two major arterial streets. Mr. Washington stated that he had rather see "LR" Local Retail than more apartments in the area and the tract is already zoned "BB". A majority of the members recommended that this request be granted.

AYE: Messrs. Nash and Washington. Mmes. Himmelblau and Mather

ABSTAIN: Mr. Bobbitt

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of Richard L. Matz, Trustee, for a zoning change from "BB" Residence, First Height and Area to "LR" Local Retail, First Height and Area on property located at 2205-2421 Pleasant Valley Road be GRANTED.

AYE: Messrs. Hetherly, Ramsey and Washington.

Mmes. Himmelblau and Mather

ABSTAIN: Mr. Bobbitt

ABSENT: Messrs. Everett, Juarez and Nash

C14-74-113 City of Austin: A, 1st to O, 1st
1611-1619 South I. H. 35
1610-1618 Summit Street

STAFF REPORT:

The applicant has requested that this case be withdrawn.

CITIZEN COMMUNICATION (SOUTH RIVER CITY CITIZENS)

WRITTEN COMMENT

Kallman Restaurant Supply Co., Inc.: 1825 S. I.H.35 FOR
American Plumbing & Heating Co.: 3301 East 4th St. AGAINST

PERSONS APPEARING

None

COMMITTEE ACTION:

Members reviewed the request and recommended that this case be withdrawn.

AYE: Messrs. Bobbitt, Nash and Washington.
 Mmes. Himmelblau and Mather

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of the City of Austin for a zoning change from "A" Residence, First Height and Area to "O" Office, First Height and Area on property located at 1611-1619 South I. H. 35 and 1610-1618 Summit Street be WITHDRAWN.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
 Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

C14-74-114 American Heart Association, Texas Affiliate, Inc.:
860 North U. S. Highway 183 Int. A, 1st to GR, 1st

STAFF REPORT:

This property is located on Ed Bluestein Boulevard near its intersection with I. H. 35. "C" Commercial and "GR" General Retail zoning side subject tract. Behind the tract is the Texas Highway Department District 14 facility.

STAFF RECOMMENDATION:

That this case be granted as consistent with adjacent zoning and land use.

C14-74-114 American Heart Association, Texas Affiliate, Inc.--Contd.

CITIZEN COMMUNICATION (HERITAGE HILLS HOMEOWNERS)

WRITTEN COMMENT

Watt Schieffer, 1011 East 40th Street

FOR

PERSONS APPEARING

None

COMMITTEE ACTION:

Members reviewed the information presented and recommended that this request be granted.

AYE: Messrs. Bobbitt, Nash and Washington.
Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of the American Heart Association, Texas Affiliate, Inc. for a zoning change from Interim "A" Residence, Interim First Height and Area to "GR" General Retail, First Height and Area on property located at 860 North U. S. Highway 183 be GRANTED.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

C14-74-115 Virginia Butler Onstot, et al: A, 1st to GR, 1st
511-513 St. John's Avenue

STAFF REPORT:

This tract and the lot to the east are both being heard this cycle for the same zoning designation. Subject tract is at the intersection of a major arterial street with inadequate right-of-way and a residential collector street. St. John's Avenue, with 50 feet of right-of-way, is planned for 90 feet but is not presently in the C.I.P. for development.

This two-lot tract is surrounded on three sides by a single-family neighborhood. A residence with a day nursery exists to the north. To the south is a mixed single-family, duplex and medium-density apartment area. Further to the west is an old strip of "LR" Local Retail zoning primarily oriented to North Lamar Boulevard.

C14-74-115 Virginia Butler Onstot, et al--Contd.

The Commission recommended denial of apartment zoning at the next intersection to the north (O'dell Street and Guadalupe Street.) The staff feels that subject tract lies within a single-family neighborhood. Any change in zoning is incompatible with the properties which this tract faces and sides.

STAFF RECOMMENDATION:

That this request be denied as an intrusion into a single-family neighborhood.

Note: If zoning is granted, one-half the additional right-of-way (15 feet) is needed to increase St. John's Avenue to 90 feet.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

| | |
|---|---------|
| Mrs. Bertha J. Moore: 514 West St. Johns Avenue | FOR |
| C. L. Child: 508 West St. Johns Avenue | FOR |
| Mildred L. Johnson: 510 West St. Johns Avenue | FOR |
| Louis Laiboritz: 4614 Madrone Drive | FOR |
| Dan J. Jackson: 4000 Medical Parkway | AGAINST |
| R. V. Johnston: 410 West St. Johns Avenue | AGAINST |
| Erwin W. C. Hodde: 603 West O Dell Street | AGAINST |

PERSONS APPEARING

Virginia Butler Onstot (applicant)
Ann Butler (applicant)

COMMITTEE ACTION:

Members reviewed the information presented and recommended that this request be denied as an intrusion into a single-family neighborhood.

AYE: Messrs. Bobbitt, Nash and Washington.
Mmes. Himmelblau and Mather

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of Virginia Butler Onstot, et al, for a zoning change from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area on property located at 511-513 St. John's Avenue be DENIED.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

C14-74-116 William G. Kemp, et al: A, 1st to DL, 1st
6110-6310 Johnny Morris Lane

STAFF REPORT:

This 22-plus-acre tract in east Austin and the 22-plus-acre tract to the south are both being heard this cycle. Subject tract fronts a major arterial street planned for 90 feet and backs to a railroad track which is probably inaccessible in this area because of the difference in elevations of the track and adjacent land. Property adjacent to this tract is used agriculturally except for a small mobile home park across the street.

Subject tract lies within an area which is developing into single-family neighborhoods. Part of the Colony Park subdivision has developed along Johnny Morris Lane to the north. Non-residential zoning such as that requested is incompatible with this developing residential. However, due to the size of this tract some non-residential uses could be made compatible with the area through sensitive site planning which provides buffering. Only through use of the Planned Unit Development concept can non-residential zoning be recommended at this location. An example is the "Houston Square" proposal for the old Infotronics site on Cameron Road.

STAFF RECOMMENDATION:

That this request be denied as incompatible with the established and planned residential development in this area. The staff recommends use of the P. U. D. ordinance for proposed intensive non-residential uses in this area.

Note: This tract is a legal tract not requiring a subdivision prior to issuance of building permits or extensions of utility services. If zoning is granted, one-half the additional right-of-way (20 feet) to increase Johnny Morris Lane from 50 to 90 feet should be provided.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

None

PERSONS APPEARING

Martin Boozer (representing applicant)

John Meadows

FOR

John Felter

FOR

William C. Montandon

FOR

Joe Thompson

FOR

COMMITTEE ACTION:

Members reviewed the information presented. Mr. Washington stated he could not support industrial uses in as much area as requested. He was of the opinion the area could be developed residentially. Ms. Mather

C14-74-116 William G. Kemp, et al--Contd.

stated that schools had been placed in the area to provide for residential development. A motion was made to deny the request but failed 2-3. Mr. Nash suggested a detailed area study be made. Members agreed that an area study, with specific recommendations from the staff, would enable them to make their decision. The Committee recommended that this request be postponed 30 days.

AYE: Messrs. Bobbitt and Nash.
Mmes. Himmelblau and Mather
NAY: Mr. Washington

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of William G. Kemp, et al, for a zoning change from "A" Residence, First Height and Area to "DL" Industrial, First Height and Area on property located at 6110-6310 Johnny Morris Lane be POSTPONED 30 days.

AYE: Messrs. Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather
ABSTAIN: Mr. Hetherly
ABSENT: Messrs. Everett, Juarez and Nash

C14-74-117 Felix Wolff: A, 1st to O, 1st
1901 Koenig Lane

STAFF REPORT:

This lot is located on a major arterial street in north Austin along which properties have been transitioning to office zoning and use. To either side of subject tract is office zoning. Residential neighborhoods are to the north and south. The Commission recommended a six-foot privacy fence along the rear property line.

Koenig Lane is planned for 90 feet; right-of-way in front of subject lot is 70 feet.

STAFF RECOMMENDATION:

That this request be granted as consistent with adjacent zoning and use, subject to one-half the additional right-of-way (10 feet) to increase Koenig Lane from 70 to 90 feet, and subject to a six-foot privacy fence along the rear property line.

C14-74-117 Felix Wolff--Contd.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

| | |
|-------------------------------------|-----|
| Leigh Spray: 1902 Koenig Lane | FOR |
| Trojan Tidwell: 1801 Koenig Lane | FOR |
| Joe Badgett: P. O. Box 9401 | FOR |
| Don Ferguson: 1803 West Koenig Lane | FOR |

PERSONS APPEARING

Don Ferguson (representing applicant)

COMMITTEE ACTION:

Members reviewed the information presented and recommended that this request be granted, subject to one-half the additional right-of-way (ten feet) to increase Koenig Lane from 70 to 90 feet, and subject to a six-foot privacy fence along the rear property line.

AYE: Messrs. Bobbitt, Nash and Washington.
Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of Felix Wolff for a zoning change from "A" Residence, First Height and Area to "O" Office, First Height and Area on property located at 1901 Koenig Lane be GRANTED, subject to one-half the additional right-of-way (ten feet) to increase Koenig Lane from 70 to 90 feet, and subject to a six-foot privacy fence along the rear property line.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

C14-74-118 Romami Company: A, 1st to GR, 1st
4219 South First Street

STAFF REPORT:

This south Austin tract fronts a major arterial street with adequate right-of-way and backs to a railroad track. General Retail or less restrictive zoning exists to the north and south of subject tract. The requested zoning has been recommended and granted within the last year on tracts to the south.

C14-74-118 Romami Company--Contd.

STAFF RECOMMENDATION:

That this case be granted as consistent with established zoning on adjacent tracts.

Note: This tract is legal.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Anthony F. Wagner: 611 Clifford Drive FOR
PERSONS APPEARING
Michael McCauley (representing applicant)

COMMITTEE ACTION:

Members reviewed the information presented and recommended that this request be granted.

AYE: Messrs. Bobbitt, Nash and Washington.
Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of Romami Company for a zoning change from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area on property located at 4219 South First Street be GRANTED.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather
ABSENT: Messrs. Everett, Juarez and Nash

C14-74-119 Arnold V. Fletcher: A, 1st to GR, 1st
509 West St. John's Avenue

STAFF REPORT:

This lot and the two lots to the west are both being heard this cycle for the same zoning designation. Subject lot fronts a major arterial street in north Austin. St. John's Avenue, with 50 feet of right-of-way, is planned for 90 feet but is not in the C.I.P. for development.

This lot faces and sides a single-family neighborhood. An apartment and baseball field exist to the rear.

C14-74-119 Arnold V. Fletcher--Contd.

STAFF RECOMMENDATION:

That this request be denied as an intrusion into a single-family neighborhood.

Note: If zoning is granted, one-half the additional right-of-way (15 feet) is needed to increase St. John's Avenue to 90 feet.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

| | |
|---|---------|
| Mrs. Bertha J. Moore: 514 West St. Johns Avenue | FOR |
| Mildred L. Johnson: 510 West St. Johns Avenue | FOR |
| Louis Laiboritz: 4614 Madrona Drive | FOR |
| C. L. Child: 508 West St. Johns Avenue | FOR |
| R. V. Johnson: 410 West St. Johns Avenue | AGAINST |
| Dan J. Jackson: 4000 Medical Parkway | AGAINST |
| Erwin W. C. Hodde: 603 West O Dell Street | AGAINST |

COMMITTEE ACTION:

Members reviewed the information presented and recommended that this request be denied.

AYE: Messrs. Bobbitt, Nash and Washington.
 Mmes. Himmelblau and Mather

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of Arnold V. Fletcher for a zoning change from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area on property located at 509 West St. John's Avenue be DENIED.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
 Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash.

C14-74-120 John V. Felter: Int. A, 1st to C, 2nd
 5900-6108 Johnny Morris Lane

STAFF REPORT:

The applicant requested that this case be postponed 30 days.

C14-74-120 John V. Felter--Contd.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

None

PERSONS APPEARING

John Felter (applicant)

COMMITTEE ACTION:

Members reviewed the information and recommended that this request be postponed 30 days.

AYE: Messrs. Bobbitt and Nash. Mmes. Himmelblau and Mather

NAY: Mr. Washington

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of John V. Felter for a zoning change from Interim "A" Residence, Interim First Height and Area to "C" Commercial, Second Height and Area on property located at 5900-6108 Johnny Morris Lane be POSTPONED 30 days.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.

Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

C14-74-121 Jack Peevey: A, 1st to B, 2nd
6107 Caddie Street

STAFF REPORT:

This lot, in the Montopolis area of southeast Austin, lies within a single-family neighborhood. It fronts a minor residential street, is in the middle of a block, and is completely surrounded by "A" residential use and zoning.

STAFF RECOMMENDATION:

That this case be denied as an intrusion into a single-family neighborhood.

Note: If zoning is granted, one-half the additional right-of-way (five feet) is needed to increase Caddie Street from 50 to 60 feet.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

None

PERSONS APPEARING

Philip Rivers (representing applicant)

Jack Peevey (applicant)

C14-74-121 Jack Peevey--Contd.

COMMITTEE ACTION:

Members reviewed the information presented. Ms. Himmelblau stated that this area is a single-family neighborhood even though some of the homes are in a run-down condition. She was of the opinion that rezoning would set a precedent for futher zoning in the area. Members recommended that this request be denied.

AYE: Messrs. Bobbitt, Nash and Washington.
Mmes. Himmelblau and Mather

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee' recommendation.

COMMISSION VOTE:

To recommend that the request of Jack Peevey for a zoning change from "A" Residence, First Height and Area to "B" Residence, Second Height and Area on property located at 6107 Caddie Street be DENIED.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather
ABSENT: Messrs. Everett, Juarez and Nash

C14-74-122 Scholars Inn, Inc.: C, 6th to C-1, 6th
2001-2005 Fort View Road
4300 Manchaca Road

STAFF REPORT:

This vacant tract in south Austin is located at the intersection of a major arterial street and a minor residential street. An auto parts store exists to the west, a restaurant is to the south and to the north is a florist. "C" Commercial and "C-2" Commercial zoning is to the rear, side, and front, and "LR" Local Retail exists to the north.

STAFF RECOMMENDATION:

That this case be granted as consistent with the surrounding zoning and use, subject to one-half the additional right-of-way (five feet) to increase Fort View Road from 50 to 60 feet.

Note: A subdivision is required prior to the issuance of a building permit or authorization of utilities.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

| | |
|---|---------|
| F. L. Johnson: 2012 Fort View Road | AGAINST |
| Mr. & Mrs. O. R. Krause: 4103 Manchaca Road | AGAINST |
| L. Russell Keene II: P. O. Box 1075, Sulphur, La. | AGAINST |

C14-74-123 Gilbert LaFuenta--Contd.

The staff feels that establishing commercial zoning at this location would be incompatible with the existing residential area along Circle S Road.

The tract will be in the middle of the block created by the extension of William Cannon Drive, and the zoning would set a precedent for all other property along this 2/3-mile-block. The school district has no plans for phasing out Pleasant Hill Elementary School to the north.

STAFF RECOMMENDATION:

That this case be denied as incompatible with the residential development on Circle S Road which would be a precedent for added permissive zoning in the area.

If the Commission recommends this request, it should be for a small area of the lot only.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Odas Jung: P. O. Box 668

AGAINST

PERSONS APPEARING

Gilbert LaFuenta (applicant)

COMMITTEE ACTION:

The applicant amended his application to "GR" General Retail, First Height and Area. It was pointed out that the applicant had a non-conforming use and in order to expand his restaurant facilities, a zoning change was necessary. Ms. Himmelblau stated that after having seen the site she felt expansion of the restaurant would not be detrimental to the neighborhood. Ms. Mather expressed opposition to "GR" General Retail zoning in the area in that it would set a precedent for further retail zoning in the area. A majority of the members recommended this request be granted, as amended.

AYE: Messrs. Nash and Washington. Ms. Himmelblau

NAY: Mr. Bobbitt. Ms. Mather

COMMISSION ACTION:

Members reviewed the information presented. Ms. Mather pointed out that the applicant has a small restaurant which was originally a bar. In order to enlarge his kitchen and make the business a restaurant, the "GR" General Retail zoning is needed. She stated that in reality the applicant is asking for a more restrictive zoning by asking for "GR" rather than "C" Commercial, but she felt the "GR" General Retail would set a precedent for future zoning. A majority of the members were in agreement with the Committee's recommendation that this request be granted, as amended.

C14-74-123 Gilbert LaFuate--Contd.

COMMISSION VOTE:

To recommend that the request of Gilbert LaFuate for a zoning change from Interim "A" Residence, Interim First Height and Area to "GR" General Retail, First Height and Area, as amended, on property located at 6403 Circle S Road be GRANTED, as amended.

- AYE: Messrs. Ramsey and Washington. Ms. Himmelblau
- NAY: Mr. Bobbitt. Ms. Mather
- ABSTAIN: Mr. Hetherly
- ABSENT: Messrs. Everett, Juarez and Nash

C14-74-124 The Austin National Bank, Trustee, et al: C, 2nd to C, 3rd
1207-1217 North Lavaca Street (as amended)
1206-1216 North Colorado Street (Orig. Req.: C, 2nd to C, 4th)
201-211 West 13th Street

STAFF REPORT:

This tract is located adjacent to the State Capitol building. It is surrounded by development falling below the 60-foot-height limit of Second Height and Area District.

Third Height and Area, allowing buildings of 120 feet, exists to the west, Second Height and Area exists to the north and south, and the unzoned capitol grounds are to the east. No Fourth Height and Area has been granted north of West 12th Street in this area.

STAFF RECOMMENDATION:

That this request be granted, as amended, as consistent with the zoning established to the west and as compatible with the State Capitol building to the east.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Texas Historical Commission: Box 12276
Rex W. Bowden: 1306 Colorado Street

PERSONS APPEARING

Will Garwood (representing applicant)

COMMITTEE ACTION:

Members reviewed the information presented. Ms. Mather expressed concern about the heights of the buildings around the Capitol area. A majority of the members recommended that this request be granted, as amended.

- AYE: Messrs. Bobbitt and Washington. Ms. Himmelblau
- NAY: Ms. Mather
- ABSTAIN: Mr. Nash

C14-74-125 Louis Bonugli--Contd.

STAFF RECOMMENDATION:

That "LR" Local Retail be denied, but that "LR" Local Retail be granted on the north lot and "O" Office be granted on the south tract, subject to one-half the additional right-of-way (five feet) to increase both Montclair Street and La Casa Drive from 50 to 60 feet, and a six-foot privacy fence along the western property line.

The staff cannot support any less restrictive zoning for these lots which adjoin single-family homes.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

| | |
|---|---------|
| Mrs. Roy D. Davis: 2001 La Casa Drive | FOR |
| Lloyd W. Payne: 2529 South Lamar | FOR |
| Mrs. Ruth Gibson: 2100 La Casa Drive | AGAINST |
| Mrs. A. R. Jurecka: 2003 Montclair Street | AGAINST |
| Mr. & Mrs. E. Allan Poe: 2102 La Casa Drive | AGAINST |

COMMITTEE ACTION:

Members reviewed the information presented and were in agreement that "LR" Local Retail was inappropriate backing up to the adjacent homes. Ms. Himmelblau and Mr. Washington agreed that they had rather see the entire tract zoned "O" Office. Members recommended that the request be denied but that "O" Office, First Height and Area be granted on the entire tract, subject to one-half the additional right-of-way, five feet, to increase both Montclair Street and La Casa Drive from 50 to 60 feet, and a six-foot privacy fence along the western property line.

AYE: Messrs. Bobbitt, Nash and Washington.
Mmes. Himmelblau and Mather

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of Louis Bonugli for a zoning change from "A" Residence, First Height and Area to "LR" Local Retail, First Height and Area on property located at 2500-2506 South Lamar Boulevard be DENIED, but that "O" Office, First Height and Area be GRANTED on the entire tract, subject to one-half the additional right-of-way, five feet, to increase both Montclair Street and La Casa Drive from 50 to 60 feet, and a six-foot privacy fence along the western property line.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather
ABSENT: Messrs. Everett, Juarez and Nash

C14-74-126 Steve Pfuntner: A, 1st to GR, 1st (as amended)
6301 Cameron Road (Orig. Req.: A, 1st to C, 1st)

STAFF REPORT:

This lot faces a residential street and sides to a major arterial street in northeast Austin. This lot, although part of a residential neighborhood, is influenced by the activity of the intersection of U. S. Highway 290 and Cameron Road. A service station exists at the rear of the lot and single-family homes exist to the east and south, and vacant "C" Commercial land is to the west.

The subject lot and the next three lots south on Cameron Road presently have no construction on them. They may be affected by a zoning change on the subject lot.

Cameron Road in this area is planned for 90 feet and the remainder of the additional right-of-way is required on the east side.

STAFF RECOMMENDATION:

That "C" Commercial be denied as incompatible with the single-family neighborhood, but that "O" Office be granted as a buffer between the neighborhood and the business activity and traffic on Cameron Road and U. S. Highway 290, subject to the remainder of the right-of-way (ten feet) to increase Cameron Road from 80 to 90 feet, and a six-foot privacy fence along the east property line.

The staff cannot support any less restrictive zoning for this tract which sides to single-family homes.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

| | |
|---|---------|
| Louis A. Joseph: 916 East 51st Street | FOR |
| John & Kay Chambless: 1402 Glenwood Drive | AGAINST |
| Frank T. McGrew: 1404 Ridgehaven Drive | AGAINST |
| Louis & Leona Kincl: 1303 Glenwood Drive | AGAINST |
| Lyndon & Carolyn Conlee: 1308 Glenwood Drive | AGAINST |
| Mrs. Wesley Helyren, Sr.: 1305 Glenwood Drive | AGAINST |

PERSONS APPEARING

| | |
|-------------------------------------|---------|
| Steve Pfuntner (applicant) | |
| John Chambless: 1402 Glenwood Drive | AGAINST |

COMMITTEE ACTION:

The applicant amended his request to "GR" General Retail, First Height and Area and agreed to the staff's requirements. Members reviewed the information presented. Mr. Washington stated that the area had many nice homes and that he was opposed to "GR" General Retail in the area. Mr. Nash stated he felt there is adequate commercial-type development across the street from subject tract and felt this area should remain residential. A majority of the members recommended that this request be denied.

AYE: Messrs. Nash and Washington. Mmes. Himmelblau and Mather
ABSTAIN: Mr. Bobbitt

C14-74-126 Steve Pfunter--Contd.

COMMISSION ACTION:

The applicant requested that this case be withdrawn. Ms. Mather stated she had rather see the case denied than withdrawn. Mr. Hetherly stated he would be opposed to denying a request for withdrawal. A majority of the members recommended that this case be withdrawn.

COMMISSION VOTE:

To recommend that the request of Steve Pfunter for a zoning change from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area, as amended, on property located at 6301 Cameron Road be WITHDRAWN.

AYE: Messrs. Hetherly and Washington. Ms. Himmelblau
NAY: Mr. Ramsey. Ms. Mather
ABSTAIN: Mr. Bobbitt
ABSENT: Messrs. Everett, Juarez and Nash

C14-74-127 Roane Puett: A, 1st to BB, 1st
4520-4524 Depew Avenue
907-911 East 46th Street

STAFF REPORT:

This property is located in north central Austin at the intersection of two minor residential streets. Subject tract is within an older single-family neighborhood in which some apartment zoning has been granted. A fourplex exists to the north. Some houses in the area need maintenance but most are being maintained.

A year ago a case was heard for "B" Residence, Second Height and Area. The staff recommended "BB" Residence. The Commission recommended to deny, the neighbors opposed with a strong petition, and the Council denied the request.

The staff recommends to deny the present request due to 1) Commission and Council denial of the previous case 2) the substantial pride in the neighborhood shown by adjacent owners 3) no zoning encroachments have been granted in this block of Depew Avenue.

STAFF RECOMMENDATION:

That this case be denied as an intrusion into a single-family neighborhood.

Note: If zoning is granted, one-half the additional right-of-way (five feet) to increase East 46th Street and Depew Avenue from 50 to 60 feet is needed.

C14-74-127 Roane Puett--Contd.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

| | |
|--|---------|
| J. R. Clements: 4601 Red River Street | FOR |
| Evelyn Hereford: 3401 Spanish Oak Drive | FOR |
| George M. Calhoun: 4509 Depew Avenue | AGAINST |
| Moyra P. Baugh: 4607 Red River Street | AGAINST |
| A. W. Swinden: 4614 Depew Avenue | AGAINST |
| P. Payton Brown: 903 East 46th Street | AGAINST |
| Jean Droppleman: 2608 Addison Avenue | AGAINST |
| Mr. & Mrs. L. Fortanella: 4613 Red River Street | AGAINST |
| Alan R. Todd: 5 Hunt Rd., Ft. Leavenworth, Kans. | AGAINST |
| Petition bearing 24 names | AGAINST |

PERSONS APPEARING

| | |
|---------------------------------------|---------|
| Roane Puett (applicant) | |
| Thomas H. Porter: 4518 Depew Street | AGAINST |
| R. Payton Brown: 903 East 46th Street | AGAINST |
| Lee Fontenella: 4613 Red River Street | AGAINST |

COMMITTEE ACTION:

Members reviewed the information presented. Ms. Mather stated that while the applicant's plan looked good, she was opposed to the "BB" zoning in the area. She stated that duplexes could be placed on the property for a density of four units which is considerably less than the proposed seven units. A majority of the members recommended that this request be denied.

AYE: Messrs. Nash and Washington. Mmes. Himmelblau and Mather
 NAY: Mr. Bobbitt

COMMISSION ACTION:

Members reviewed the information presented. Mr. Hetherly pointed out that it has been the policy not to cross 45th Street with zoning. He stated that he had a problem with the area from Red River Street east in that zoning already exists. Ms. Mather restated her objection to "BB" Residence zoning in this area which is low-density residential. Mr. Bobbitt read the Committee's recommendation that this request be denied which resulted in a tie vote, 3-3. A motion was then made to refer this case to the August 24, 1974 Planning Commission meeting for action.

COMMISSION VOTE:

To REFER to the August 24, 1974 Planning Commission meeting the request of Roane Puett for a zoning change from "A" Residence, First Height and Area to "BB" Residence, First Height and Area on property located at 4520-4524 Depew Avenue and 907-911 East 46th Street.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
 Mmes. Himmelblau and Mather

C14-74-129 Harry Joseph: A, 1st to GR, 1st (as amended)
1116-1124 East 51st Street (Orig. Req.: A, 1st to C, 1st)

STAFF REPORT:

This tract is located between a recently improved major arterial street and a minor residential street in northeast Austin. The Municipal Airport exists to the south, a liquor store and rest home are to the west, a lounge, electronics supply, and apartments are to the north, and apartments and vacant land exist to the east. A service drive exists along the western boundary of the subject tract.

Subject tract lies between the intensive zoning oriented to I. H. 35 to the west and medium-density apartment zoning and use to the east. The staff feels that the "C" Commercial District is too intensive for this location, and that an intermediate zoning compatible with the existing and future apartment development to the north and east would be appropriate.

STAFF RECOMMENDATION:

That this request be denied as too intensive for this location, but that "LR" Local Retail be granted, subject to one-half the additional right-of-way (five feet) to increase East 52nd Street to 60 feet.

Note: A subdivision is required prior to the issuance of building permits or extensions of utility service.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

None

PERSONS APPEARING

Tom Curtis (representing applicant)

COMMITTEE ACTION:

The applicant amended his request to "GR" General Retail, First Height and Area. Members reviewed the information presented and recommended that this request be granted, as amended, subject to one-half the additional right-of-way (five feet) to increase East 52nd Street to 60 feet.

AYE: Messrs. Nash and Washington.

NAY: Ms. Himmelblau

ABSTAIN: Mr. Bobbitt

COMMISSION ACTION:

Members reviewed the information presented. It was pointed out that the staff's objection was to zoning the rear portion of the tract because of the narrow 52nd Street, the nursing home to the west and the low-density apartments to the east. Mr. Hetherly inquired as to the need for access to 52nd Street. The staff stated that the applicant did not have definite

C14-74-129 Harry Joseph--Contd.

plans at this time. Mr. Bobbitt read the Committee's recommendation to grant the request, as amended, subject to departmental requirements. Ms. Mather offered a substitute motion to grant "GR" General Retail, First Height and Area on the south half of the tract and "LR" Local Retail, First Height and Area on the north half of the tract, subject to departmental requirements. The motion failed 2-3 with one abstention. The vote was then taken on the original motion.

COMMISSION VOTE:

To recommend that the request of Harry Joseph for a zoning change from "A" Residence, First Height and Area to "GR" General Retail, First Height and Area, as amended, on property located at 1116-1124 East 51st Street be GRANTED, as amended, subject to one-half the additional right-of-way (five feet) to increase East 52nd Street to 60 feet.

AYE: Messrs. Hetherly, Ramsey and Washington.
 NAY: Mmes. Himmelblau and Mather
 ABSTAIN: Mr. Bobbitt
 ABSENT: Messrs. Everett, Juarez and Nash

C14-74-130 O. V. Bennett, Jr., Trustee: LR, 1st to A, 1st
 Rear of 2707-2905 Del Curto Road
 also intersected by Kinney Avenue,
 Burning Oak Drive and Thornton Road

STAFF REPORT:

This tract is located in south Austin at the south end of Thornton Road and is bounded on the east by a railroad track. Single-family neighborhoods exist to the south and west. Rural properties transitioning to apartment zoning and use are to the north. Some commercial development exists further north on properties between Thornton Road and the railroad track.

On December 4, 1969 the present conditional "LR" Local Retail zoning was granted by the Council, subject to a restrictive covenant which stated that the zoning would revert to its prior classification if a mobile home park were not constructed according to the mobile home park permit (CP14-69-046.)

The mobile home park has not been constructed as of this date. The two-year extension of the special permit expired on January 11th of this year. Since the permit was approved, the City zoning ordinance has been changed to allow mobile home parks only in the "MH" Mobile Home District.

In processing this zoning reversion, the City is restoring a zoning classification to this site which is compatible with the zoning and development of this area.

C14-74-130 O. V. Bennett, Jr., Trustee--Contd.

STAFF RECOMMENDATION:

That this request be granted as compatible with the area and as consistent with the prior case which established the present conditional zoning.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Austin Housing Authority: Box 6159
O. V. Bennett, Jr. (applicant)

FOR

COMMITTEE ACTION:

Members reviewed the information and recommended that this request be granted.

AYE: Messrs. Bobbitt, Nash and Washington.
Mmes. Himmelblau and Mather

COMMISSION ACTION:

Members reviewed the information as it appeared on the memorandum and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of O. V. Bennett, Jr., Trustee, for a zoning change from "LR" Local Retail, First Height and Area to "A" Residence, First Height and Area on property located at the rear of 2707-2905 Del Curto Road, also intersected by Kinney Avenue, Burning Oak Drive and Thornton Road be GRANTED.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

C14-74-131 Austin Northwest Development Co.: GR, 1st to C-2, 1st
2900 Anderson Lane

STAFF REPORT:

This small tract is located within a planned shopping center in north Austin. It is completely surrounded by "GR" General Retail zoning.

STAFF RECOMMENDATION:

That this case be granted as compatible with the surrounding area.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

Ray Marshall: P. O. Box 2885, Houston, Texas
Don R. Mullins Interests: Houston, Texas

FOR

FOR

C14-74-131 Austin Northwest Development Co.--Contd.

PERSONS APPEARING
None

COMMITTEE ACTION:

Members reviewed the information presented and recommended that this request be granted.

AYE: Messrs. Bobbitt, Nash and Washington.
Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To recommend that the request of Austin Northwest Development Co. for a zoning change from "GR" General Retail, First Height and Area to "C-2" Commercial, First Height and Area on property located at 2900 Anderson Lane be GRANTED.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

SPECIAL PERMITS

C14p-74-031 M. James Moritz: A Commercial Blue Print and Photography Business
8235 Shoal Creek Boulevard

STAFF REPORT:

This application has been filed as required under Section 45-22, Sub-Section (39), Paragraph (a), and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This is an application for a commercial blue print and photography operation to be located at 8235 Shoal Creek Boulevard, between Shoal Creek Boulevard and Shoal Creek. The property is zoned "GR" General Retail and is across Shoal Creek Boulevard from "C" Commercial property. The proposed use is allowed in "GR"-zoned property by special permit because the subject property is located across the street from "C" Commercial property.

A one-story metal building and a paved parking area with 26 parking spaces exists on the site and will be used by the applicant for the proposed business.

C14p-74-031 M. James Moritz--Contd.

STAFF RECOMMENDATION:

The staff recommends approval of this application, subject to compliance with departmental requirements as on file with the City of Austin Planning Department.

CITIZEN COMMUNICATION (NO FORMAL NEIGHBORHOOD GROUP)

WRITTEN COMMENT

None

PERSONS APPEARING

Frank Ingor (representing applicant)

COMMITTEE ACTION:

Members reviewed the information presented and recommended that this request be approved, subject to departmental requirements.

AYE: Messrs. Bobbitt, Nash and Washington.
Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To APPROVE the request of M. James Moritz for a special permit for a commercial blue print and photography business on property located at 8235 Shoal Creek Boulevard, subject to departmental requirements as on file with the City of Austin Planning Department, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSTAIN: Mr. Hetherly

ABSENT: Messrs. Everett, Juarez and Nash

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of the decision upon giving written notice to the City Council within ten days following the decision of the Planning Commission.

C14p-74-032 John West Bradfield: Relocation of Radio Tower from 2101 Nueces
910 West 22 1/2 Street to 910 West 22 1/2 Street

STAFF REPORT:

This application has been filed as required under Section 45-28, Sub-Section (e), and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This is an application for a special permit to allow a private radio transmitting tower. This use may be granted in any use district, subject to a special permit.

C14p-74-032 John West Bradfield--Contd.

Subject tract is zoned "B" Residence, First Height and Area and is located at 910 West 22 1/2 Street. The proposed tower is to be 98 feet above the ground and is to be constructed at the rear of an existing two-story brick apartment building.

STAFF RECOMMENDATION:

The staff recommends approval of this application, subject to compliance with departmental requirements as on file with the City of Austin Planning Department.

CITIZEN COMMUNICATION (SAVE UNIVERSITY NEIGHBORHOODS)

WRITTEN COMMENT

Gamma Phi Beta Assn.: 2222 Pearl Street

FOR

PERSONS APPEARING

Grover C. Deen (representing applicant)

Grace Thiele: 909 West 22 1/2 Street

AGAINST

Randy Mueller: Gaston Avenue

AGAINST

Elizabeth Kitowski, et al: 908 West 22 1/2 Street

AGAINST

Wallis Smith: 903 West 22 1/2 Street

AGAINST

Larry Stewart

AGAINST

COMMITTEE ACTION:

Members reviewed the information presented. Members questioned the possibility of the building being used as an office. It was pointed out that if an office use were on the tract, a zoning change would be necessary, but the case tonight is to allow only the tower to be erected on the tract. Members were in agreement that a tower would be incompatible with the surrounding area. The Committee recommended that this request be denied.

AYE: Messrs. Bobbitt, Nash and Washington.
 Ms. Himmelblau

COMMISSION ACTION:

Mr. Bobbitt read the Committee's recommendation that this case be denied. Ms. Himmelblau stated that she had revisited the site and that the house on the site has been occupied by the same person for eleven years. She stated she was satisfied that the house would not be used for an office and that the tower would be buffered, therefore, she would change her vote. Mr. Bobbitt stated he also had revisited the site and would change his vote. A substitute motion was made to grant this request, subject to departmental requirements.

C14p-74-032 John West Bradfield--Contd.

COMMISSION VOTE:

To APPROVE the request of John West Bradfield for a special permit for the relocation of a radio tower from 2101 Nueces Street to 910 West 22 1/2 Street, subject to departmental requirements as on file with the City of Austin Planning Department, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.

Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of the decision upon giving written notice to the City Council within ten days following the decision of the Planning Commission.

C14p-74-033 Jagger Associates, Inc.: A Two-story Office Project Called
1800 South I. H. 35 "The Brook Office Park"

STAFF REPORT:

This application has been filed as required under Section 45-29, and according to the procedures as specified in Section 10-B of the Zoning Ordinance of the City of Austin. This is an application for a special permit to allow an 18,600 square-foot office park. "GR" General Retail, Fifth Height and Area on the property has been approved, subject to a special permit. This tract is bounded on the north by Woodland Avenue, on the east by Interstate Highway 35 and on the west by Harper's Creek. The entrance to "The Brook" apartments abuts the tract to the south. Two separate buildings are proposed on the heavily-wooded site with access from I. H. 35 frontage road and from Woodland Avenue. This plan has been designed to use the open spaces for buildings and driveways as much as possible thereby preserving much of the natural features of the site.

STAFF RECOMMENDATION:

The staff recommends approval, subject to compliance with departmental requirements as on file with the City of Austin Planning Department.

CITIZEN COMMUNICATION (SOUTH RIVER CITY CITIZENS)

WRITTEN COMMENT

Environmental Committee for South River City Citizens

PERSONS APPEARING

Sid Jagger (applicant)

Tom Scheffleman (representing applicant)

C14p-74-033 Jagger Associates, Inc.--Contd.

COMMITTEE ACTION:

The applicant reported that he had been working with members of the South River City Citizen's Association and is agreeable to their suggestions and is willing to work with them on the traffic problem. The Committee reviewed the information presented. Ms. Himmelblau stated she thought it unnecessary to make the applicant appear before the Board of Adjustment for a variance on the setback requirement in order to save just a few trees. The Committee recommended that this request be approved, subject to departmental requirements.

AYE: Messrs. Bobbitt, Nash and Washington.
Ms. Himmelblau

COMMISSION ACTION:

Members reviewed the information presented and were in agreement with the Committee's recommendation.

COMMISSION VOTE:

To APPROVE the request of Jagger Associates, Inc. for a special permit for the construction of a two-story office project called "The Brook Office Park" on property located at 1800 South I. H. 35, subject to departmental requirements as on file with the City of Austin Planning Department, and authorized the Chairman to sign the necessary resolution upon completion.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Ms. Himmelblau

ABSTAIN: Ms. Mather

ABSENT: Messrs. Everett, Juarez and Nash

The Chairman announced that any interested party aggrieved by this decision may appeal to the City Council for a review of the decision upon giving written notice to the City Council within ten days following the decision of the Planning Commission.

PUBLIC HEARINGS

C2o-74-002 Ordinances

Discuss and set a public hearing for amendment to Chapter 41 of the City Code to not require submission of a drainage plan prior to recording a plat

Mr. Lillie reported that the present subdivision ordinance requires that a final drainage plan must be approved prior to the recording of a plat. He stated that the proposed amendment would allow a procedure similar

C2o-74-002 Ordinances--Contd.

to the pre-application procedure in that a developer would submit sketches showing some pre-planning but would not require that he go into extensive engineering work before he really knows what is to go on the tract.

Mr. Charles Graves, Director of Engineering, stated that one problem with the proposed amendment is that suburban subdivision construction plans do not require approval, thus the City has very little control over suburban subdivisions. He felt this problem could be solved by contracting with the developer to submit plans and receive a creek permit before he proceeds with the construction.

COMMISSION ACTION:

Members reviewed the information presented and recommended to set a public hearing to consider the proposed amendments.

COMMISSION VOTE:

To SET A PUBLIC HEARING for October 8, 1974 for amendment to Chapter 41 of the City Code to not require submission of a drainage plan prior to recording a plat.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.

 Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

C2o-74-004 Ordinances

Discuss and set a public hearing for amendment to Chapter 41 of the City Code for extension of urban standards to 5-mile ETJ of the City of Austin

Mr. Lillie reported that the proposed amendment to the subdivision ordinance would extend the urban standards to the full five-mile ETJ of the City. At the present time, any subdivision that falls outside the city limits but within two miles, regardless of density, must meet the urban standards for streets and drainage. Those subdivisions from two to five miles with a density of 2.5 lots per acre must also comply with urban standards. The proposed amendment will affect only those subdivisions outside the city with a density of less than 2.5 lots per acre which are only required to meet County standards for streets and drainage. Mr. Lillie stated that the proposed amendment involves only the street and drainage requirements. He reported that a work session had been held with interested developers, surveyors and engineers to receive their comments and suggestions.

COMMITTEE ACTION:

Members reviewed the information presented and recommended to set a public hearing for November to consider the proposed amendment.

C2o-74-004 Ordinances--Contd.

COMMISSION VOTE:

To SET A PUBLIC HEARING for November 12, 1974 to consider amendment to Chapter 41 of the City Code for extension of urban standards to the five-mile ETJ of the City of Austin.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

C2o-74-005 Ordinances

Discuss and set a public hearing for amendment to Chapter 41 of the City Code for inclusion of the Federal Flood Insurance requirements into the City's ordinance

Mr. Jim Miller, Community Development Administrator, briefly reviewed the Federal Flood Insurance requirements. He stated that the Federal Flood Insurance Program Act of 1973 requires that a city must apply for the flood insurance program no later than July 1, 1975. Failure to do so causes that city to become ineligible for any federal assistance. He stated that Federal Reserve banking systems have already ruled that they cannot finance any projects located in any flood plain area. Mr. Miller stated that a report had been submitted to the City Council which involved a number of ordinance revisions and also drainage criteria. He stated that the City preferred not to apply for the program until it had the opportunity to revise its ordinances rather than to apply and possibly be forced to accept ordinances designated under the H.U.D. flood insurance office.

Mr. Charles Graves, Director of Engineering, stated that the subdivision ordinance and the building codes are being revised and will be presented to the Commission for review. He stated that these revisions have been reviewed with builders and developers who will be affected by these changes and that copies of the drafts will be sent to them prior to the public hearing date.

COMMISSION ACTION:

Members reviewed the information presented and recommended to set a public hearing for considering the proposed changes.

COMMISSION VOTE:

To SET A PUBLIC HEARING for October 8, 1974 to consider amendment to Chapter 41 of the City Code for inclusion of the Federal Flood Insurance requirements into the City's ordinance.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

C3-74-009 Environment

Appeal by Allandale Neighborhood Association, Shoal Creek Drainage Committee of Waterway Development Permit #74-07-3046 to construct a storm sewer system in the Bullard Drive easement from MoPac to Shoal Creek

Mr. Lillie reported that this case is an appeal by the Allandale Neighborhood Association of the Waterway Development Permit #74-07-304 for the construction of a storm sewer system in the Bullard Drive easement from MoPac to Shoal Creek. A request was heard by the Planning Commission last month to enclose the drainage way and was approved by the Commission.

Mr. Charles Graves, Director of Engineering, reviewed the proposed project and presented a map that depicted the watershed of Shoal Creek and the problems resulting in overland water flooding the area. Mr. Graves pointed out the urgency of relieving the flooding in this area and that decisions are made on the information available. He pointed out that at the present time, the proposed project is, in his opinion, the best possible solution. He also pointed out that the Master Drainage Study will not be available for quite some time. Mr. Graves agreed that impounding the water would be a very favorable solution, but that land and finances are not available at this time. Mr. Graves pointed out that the proposed project will relieve the flooding in this area and remove the dangers of an open drainageway across the school area. He also stated that plans include energy dissipators to prevent erosion damage to the banks of the creek. Mr. Graves recommended that this appeal be denied and that plans for the proposed project proceed as approved.

CITIZEN COMMUNICATION (ALLANDALE NEIGHBORHOOD ASSOCIATION)

WRITTEN COMMENT

Terry Leifeste
Charles Croft

FOR APPEAL
FOR APPEAL

PERSONS APPEARING

Terry Leifeste
Philip Lowell
Charles Croft
Bill Newcomb
Mrs. Wilkie
Mrs. Joe, Sr.

FOR APPEAL
FOR APPEAL
FOR APPEAL
FOR APPEAL
FOR APPEAL
AGAINST APPEAL

COMMISSION ACTION:

Members heard testimony from members of the Allandale Neighborhood Association in opposition to the proposed construction and their alternative solutions to the plan. Mr. Hetherly stated that he was concerned about the residents of the area at the point of discharge. He stated he was in favor of remedying the problem now as long as additional water is not added to the watershed. Ms. Mather expressed concern about the eventual fate of Shoal Creek. She was of the opinion that MoPac should have some provision for run-off. She

C3-74-009 Environment--Contd.

was in favor of impounding the water. Mr. Hetherly inquired about the traffic problems that would be created at the school as a result of the construction. Members were in agreement that the appeal be denied and that plans proceed for the proposed construction. Mr. Hetherly pointed out that anyone aggrieved by the decision may appeal to the City Council.

COMMISSION VOTE:

To DENY the appeal by the Allandale Neighborhood Association to Waterway Development Permit #74-07-3046 for construction of a storm sewer system in the Bullard Drive easement from MoPac to Shoal Creek.

- AYE: Messrs. Hetherly, Bobbitt and Washington. Ms. Himmelblau
- NAY: Mr. Ramsey. Ms. Mather
- ABSENT: Messrs. Everett, Juarez and Nash

C14h-74-004 Millican House: A, 1st to O-H, 1st
C14-74-095 1606 West Avenue

This case has appeared before the Planning Commission for a zoning change from "A" Residence, First Height and Area to "O" Office, First Height and Area. The Commission referred the case to the Historic Landmark Commission for consideration of an "H" Historic designation. Under provisions of the Historic Zoning Ordinance, the Landmark Commission must find that the owner is faced with a hardship by leaving the zoning "A" Residence with an "H" designation. The applicant stated he would be faced with the hardship in that he would not be allowed to operate his antique shop in his home. To do so would allow the saving of rental fees which would allow him to gain the capital to restore his home as well as purchase and restore two other historically significant houses across the street.

CITIZEN COMMUNICATION:

WRITTEN COMMENT

- James M. Dunnam: P. O. Box 5625 FOR
- Mark Finley: P. O. Box 2086 AGAINST
- Gerald Langford: 1711 Pearl Street AGAINST
- Raymond H. Deer: 1707 Pearl Street AGAINST
- Mike McHone: Save University Neighborhoods AGAINST

PERSONS APPEARING

- Robert Pettus (applicant)
- Phil Shaw FOR
- Raymond Deer: 1707 Pearl Street AGAINST

COMMISSION ACTION:

Members reviewed the information presented and recommended that this request be granted.

C14h-74-004 Millican House--Contd.
C14-74-095

COMMISSION VOTE:

To recommend that the request of Robert Pettus and Regina Ochoa for a zoning change from "A" Residence, First Height and Area to "O-H" Office-Historic, First Height and Area on property located at 1606 West Avenue (Millican House) be GRANTED.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather
ABSENT: Messrs. Everett, Juarez and Nash

OTHER BUSINESS

C1-74 Minutes

The members then

VOTED: To APPROVE the following:

- May 14, 1974 Planning Commission minutes
- May 22, 1974 Planning Commission special meeting minutes
- May 28, 1974 Planning Commission minutes
- June 11, 1974 Planning Commission minutes
- June 25, 1974 Planning Commission minutes
- July 9, 1974 Planning Commission minutes

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather
ABSENT: Messrs. Everett, Juarez and Nash

SUBDIVISIONS

C8-74-043 Beaconridge II
Peaceful Hill Lane and Mairo Street
Consider waiver of two conditions of preliminary approval

The staff reported that the applicant has requested that this case be postponed.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

None

C8-74-043 Beaconridge II--Contd.

COMMISSION ACTION:

Members reviewed the request and recommended that this case be postponed.

COMMISSION VOTE:

To POSTPONE action on Beaconridge II subdivision to consider waiver of two conditions of preliminary approval.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

C8s-74-187 Hardin's Hilltop

U. S. Highway 183

Discuss request for variance of right-of-way and setback requirements

The staff reported that the applicant has requested that this case be postponed to the September 24, 1974 Planning Commission meeting.

CITIZEN COMMUNICATION

WRITTEN COMMENT

None

PERSONS APPEARING

None

COMMISSION ACTION:

Members reviewed the request and recommended that this request be postponed.

COMMISSION VOTE:

To POSTPONE to the September 24, 1974 Planning Commission meeting action on Hardin's Hilltop to consider request for variance of right-of-way and setback requirements.

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

R105-74 Subdivision Memorandum and Addendum

Preliminary, Short Form and Final Subdivisions as listed on the Subdivision Memorandum and Addendum. Action to be taken at meeting.

FINAL SUBDIVISION PLATS--FILED AND CONSIDERED

The following final subdivisions have appeared before the Commission in the past and have now met all departmental requirements. The staff recommends they be approved. The Commission then

Final Subdivision Plats--Contd.

VOTED: To APPROVE the following final subdivision plats under the Commission's amended Rules and Regulations:

C8-73-78 Travis Country II, Phase I
 Travis Country Circle
C8-73-116 Turbine South
 Dalton Lane & Fentress Circle South

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
 Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following final subdivision plat, pending compliance with departmental requirements as on file with the City of Austin Planning Department and pending fiscal arrangements required:

C8-74-44 La Costa
 I. H. 35 & U. S. Highway 290

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington
 Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

SHORT FORM SUBDIVISIONS--FILED AND CONSIDERED

The staff reported that the following short form plats have complied with all departmental requirements and recommend that they be approved. The Commission then

VOTED: To APPROVE the following short form subdivision plats:

C8s-72-293 V. T. Crow Resub. Lots 7a, 20, 21 & 22
 of 1st Resub.
 U. S. 183 & Cotton Road
C8s-74-65 Archie Underwood Home Tr. Resub. Blk. 7
 Blue Bluff Road
C8s-74-77 S. A. C. Addition
 Woodward Street
C8s-74-106 Buie Subdivision
 Canyon Rim Drive
C8s-74-132 3rd Resub. Lot 2, Blk. "E"
 Delwood Terrace Comm.
 Gaston Place

Short Form Subdivisions--Contd.

| | |
|-------------------|---|
| <u>C8s-74-142</u> | <u>Resub. of Lot 2, Rutland Square</u> <u>Rutland Drive & Quail Valley Blvd.</u> |
| <u>C8s-74-170</u> | <u>Amended Plat Lots 4, 5 & 6, Blk. "K"</u> <u>Windsor Hills, Sec. 7</u> <u>Wood Glen Cove</u> |
| <u>C8s-74-173</u> | <u>Luther E. Smith</u> <u>F. M. 1325 & Upper Georgetown Road</u> |
| <u>C8s-74-174</u> | <u>Spicewood at Balcones Village, Sec. 4,</u> <u>Resub. Lots 62, 63 & 64, Blk "D"</u> <u>Spiceway Parkway</u> |
| <u>C8s-74-177</u> | <u>Resub. Lots 4, 5 & East 23.00' Lot 6, Blk. 8,</u> <u>Walsh Place, Division "A"</u> <u>Bridle Path</u> |
| <u>C8s-74-182</u> | <u>Slaughter Creek Corner</u> <u>Slaughter Creek Drive & Penion Drive</u> |
| <u>C8s-74-183</u> | <u>Resub. Lots 30 & 31, Southridge Sec. 5</u> <u>Rockdale Circle</u> |

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form subdivisions, pending compliance with departmental requirements as on file with the City of Austin Planning Department:

| | |
|-------------------|---|
| <u>C8s-74-192</u> | <u>Resub. Lots 12 & 13, Glenview Addition</u> <u>West 34th Street & Glenview Avenue</u> |
| <u>C8s-74-194</u> | <u>Dayton & Hopper Addition</u> <u>F. M. 1325</u> |
| <u>C8s-74-196</u> | <u>Resub. Lot 4, Laneport</u> <u>Anderson Lane</u> |
| <u>C8s-74-197</u> | <u>Resub. Lots 25 & 26, Blk. I of</u> <u>North West Hills, Sec. 7</u> <u>Farhills Drive</u> |

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

The Commission then

Short Form Subdivisions--Contd.

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form subdivision plat, pending compliance with departmental requirements as on file with the City of Austin Planning Department; pending fiscal arrangements required; and pending resolution of drainage problems:

C8s-74-188 Night Hawk Addition
I. H. 35, Shelby Lane, Weidmar Lane

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form subdivision plat, pending compliance with departmental requirements as on file with the City of Austin Planning Department; pending fiscal arrangements required; and pending easements required:

C8s-74-189 2nd Resub. Tract 2, Allen Subdivision
Rutland Drive & McKalla Drive

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

The Commission then

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form subdivision plat, pending compliance with departmental requirements as on file with the City of Austin Planning Department; pending easements required; and granted a variance on the signature of the adjoining owner:

C8s-74-190 Morgan-Elliott Addition
William Cannon Drive

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather

ABSENT: Messrs. Everett, Juarez and Nash

The Commission then

Short Form Subdivisions--Contd.

VOTED: To ACCEPT FOR FILING AND DISAPPROVE the following short form subdivision plat, pending compliance with departmental requirements as on file with the City of Austin Planning Department and granted a variance on the signature of the adjoining owner:

C8s-74-195 Shade Tree Addition
Avenue C & 41st Street

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather
ABSENT: Messrs. Everett, Juarez and Nash

The Commission then

VOTED: To ACCEPT FOR FILING AND APPROVE the following short form subdivision plat and granted a variance on the signature of the adjoining owner:

C8s-74-176 Joe L. Matocha Subdivision
E. Rundberg Lane

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather
ABSENT: Messrs. Everett, Juarez and Nash

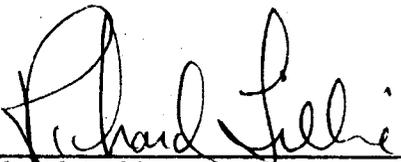
The Commission then

VOTED: To POSTPONE the following short form subdivisions, pending receipt of a variance letter:

C8s-74-191 Hamrick Industrial Park
F. M. Highway 1325
C8s-74-193 Clarkson Addition
Von Quintus Road

AYE: Messrs. Hetherly, Bobbitt, Ramsey and Washington.
Mmes. Himmelblau and Mather
ABSENT: Messrs. Everett, Juarez and Nash

The meeting was adjourned at 10:15 p.m.



Richard Lillie
Executive Secretary